## Before the Federal Communications Commission Washington, D.C. 20554

	)	
In the Matter of	)	
	)	
Amendment of Section 73.622(i),	)	MB Docket No. 09-156
Final DTV Table of Allotments,	)	RM-11556
Television Broadcast Stations.	)	
(Jackson and Laurel, Mississippi)	)	

## **REPORT AND ORDER** (Proceeding Terminated)

Adopted: September 30, 2009 Released: October 1, 2009

By the Chief, Video Division, Media Bureau:

- 1. The Commission has before it a Notice of Proposed Rulemaking issued in response to a petition for rulemaking filed by commonly-owned WLBT License Subsidiary, LLC and WDAM License Subsidiary, LLC ("Petitioners"), the licensees of stations WLBT(TV), Jackson, Mississippi, channel 7, and WDAM-TV, Laurel, Mississippi, channel 28. Petitioners request the substitution of channel 30 for WLBT(TV)'s assigned channel 7 at Jackson and the substitution of channel 7 for WDAM-TV's assigned channel 28 at Laurel. Petitioners filed comments reaffirming their interest in the proposed channel substitutions. No other comments were received.
- 2. We believe the public interest would be served by substituting channel 30 for channel 7 at Jackson and channel 7 for channel 28 at Laurel. Petitioners state that since WLBT(TV) transitioned to its post-transition DTV channel 7 at 10.3 kW effective radiated power ("ERP"), the station has received numerous complaints from viewers throughout its service area who are no longer able to receive the station's signal. In addition, Petitioners explain that battery-operated receivers, which viewers rely on for emergency information during severe weather conditions, have been unable to receive WLBT(TV)'s signal on a consistent basis. Substituting channel 7 for channel 28 at Laurel will permit WLBT(TV) to operate on channel 30 at Jackson, and Petitioners state that WDAM-TV will not experience the same reception problems with channel 7 because it will be able to operate with a higher ERP of 75 kW.
- 3. Channel 30 can be substituted for channel 7 at Jackson, Mississippi, and channel 7 can be substituted for channel 28 at Laurel, Mississippi as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules, at coordinates 32-12-49 N. and 90-22-56 W, and coordinates 31-27-12 N. and 89-17-05, respectively. In addition, we find that these channel changes meet the technical requirements set forth in Sections 73.616 and 73.623 of the Commission's rules with the following specifications:

<sup>3</sup> 47 C.F.R. § 73.625(a).

\_

<sup>&</sup>lt;sup>1</sup> Jackson and Laurel, Mississippi, DA 09-1922 (released August 27, 2009).

<sup>&</sup>lt;sup>2</sup> 47 C.F.R. § 73.625(a).

City and State	Channel	Power (kW)	Antenna (meters)	Service Pop. (thous.)	
Jackson, Mississippi	30	535	624	921	
Laurel, Mississippi	7	75	155	472	

- 4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to Section 553(d)(3) of the Administrative Procedures Act.<sup>4</sup> An expedited effective date is necessary in this case to ensure that station WLBT(TV) can restore service to former viewers as quickly as possible
- 5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective immediately upon publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u> <u>Channel No.</u> Jackson, Mississippi 12, \*20, 21, 30, 40, 51

Laurel, Mississippi 7

- 6. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, WLBT License Subsidiary, LLC and WDAM License Subsidiary, LLC shall submit to the Commission minor change applications for construction permits (FCC Form 301) specifying channel 30 in lieu of channel 7 at Jackson, Mississippi and channel 7 in lieu of channel 28 at Laurel, Mississippi.
- 7. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).
  - 8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.
- 9. For further information concerning the proceeding listed above, contact Joyce L. Bernstein, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman Chief, Video Division Media Bureau

.

<sup>&</sup>lt;sup>4</sup> 5 U.S.C. § 553(d)(3).